

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

BRIDGEWATER WHOLESALERS, INC.	:	CIVIL ACTION
	:	
Plaintiff,	:	NO.
	:	
v.	:	JURY TRIAL DEMANDED
	:	
PENNSYLVANIA LUMBERMENS MUTUAL INSURANCE COMPANY	:	Removed from:
	:	
Defendant.	:	Superior Court of New Jersey, Law Division: Somerset County
	:	
	:	Docket No. 1-000609-14

**NOTICE OF REMOVAL**

**TO THE JUDGES OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT  
OF NEW JERSEY**

Defendant, Pennsylvania Lumbermens Mutual Insurance Company, respectfully requests that this matter be transferred from the Superior Court of New Jersey, Somerset County, New Jersey in which it is now pending, to the United States District Court for the District of New Jersey and represents that:

1. This matter is a civil action, which was filed in the Superior Court of New Jersey, Somerset County, docketed L-000609-14.
2. The action was instituted on or about May 12, 2014, when Plaintiff filed a Complaint with the Somerset County Deputy Clerk Civil Division. The Complaint is attached hereto as Exhibit A.
3. In the Complaint, Plaintiff alleges breach of contract and bad faith by Pennsylvania Lumbermens Insurance Company (hereinafter "PLM") in connection with a loss of income claim submitted pursuant to a commercial property policy.

4. Plaintiff seeks compensatory and consequential damages, as well as interest, costs, attorney's fees, and punitive damages.

5. Plaintiff's Complaint seeks compensatory breach of contract damages of \$1,750,000.00 together with consequential damages.

6. PLM was served a copy of the Complaint, attached hereto as Exhibit A, on May 16, 2014.

7. The controversy in the action is between Plaintiff, a citizen of New Jersey, and PLM, a citizen of a foreign state, because:

- a. PLM is a corporation, incorporated in the State of Pennsylvania, and has its principal place of business in the State of Pennsylvania, and is, therefore, a citizen of Pennsylvania for the purposes of this action and was so at the time this action was commenced and at the present time; and,
- b. Plaintiff is a New Jersey corporation with its principal place of business in New Jersey and therefore a citizen of New Jersey for purposes of this action and was so at the time this action was commenced and at the present time.
- c. The amount in controversy exceeds the statutory jurisdictional amount because Plaintiff's Complaint seeks damages in excess of \$1,750,000.00.

8. There is diversity of citizenship between Plaintiff and Defendant in this action, and the amount reasonably believed to be in controversy exceeds \$75,000.00. Therefore, PLM respectfully requests that this action be removed from the Superior Court of Somerset County to this Court in the United States District Court for the District of New Jersey, pursuant to 28 U.S.C. § 1332(a)(1) and § 1441(a).

9. This Notice is timely, it being filed within thirty (30) days of the service of the Complaint in this action.

**WHEREFORE**, Defendant Pennsylvania Lumbermens Mutual Insurance Company, respectfully requests that this action be removed from the state court into this Court for trial and determination and that this Court make an Order of Removal for the said action.

Respectfully submitted,

WHITE AND WILLIAMS LLP

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Dated: June 9, 2014